

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 6:18-cr-00164-AA

Plaintiff,

ORDER TO REDUCE SENTENCE

v.

SHERRY ANN HARPER,

Defendant.

The defendant, Sherry Harper, through her attorney, Thomas E. Price, and together with the attorney for the government, Assistant United States Attorney Amy E. Potter, jointly moved this Court pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) to reduce her sentence to time served and amend the conditions of supervised release to include a period of community confinement.

As amended by the First Step Act, the compassionate release statute allows courts to reduce sentences for “extraordinary and compelling” reasons. Thirty days have elapsed since Ms. Harper initiated a request for compassionate release consideration with the warden of FCI Dublin. Accordingly, this motion is properly before this Court.

Ms. Harper is a 48-year-old woman who suffers from: (1) obesity, (2) chronic nerve pain; (3) cervical fractures in 2015; and (4) tardive akathisia. Ms. Harper remains in custody at FCI

Dublin. Her projected release date is February 10, 2023 and, Ms. Harper has completed approximately half of her five years sentence.

Based on all of the relevant circumstances, the parties agree that this case presents extraordinary and compelling reasons to reduce Ms. Harper's sentence to time served. Additionally, the parties agree that the requested sentence reduction would be consistent with the sentencing factors under 18 U.S.C. § 3553(a) and the applicable policy statement in U.S.S.G. § 1B1.13.

Ms. Harper has a release plan which includes residing at the NWRRCC and transferring to housing at the RRC in Lane County when bed space therein becomes available after her period of quarantine.

For all of the foregoing reasons, the Court finds that compassionate release should be granted and ORDERS that Ms. Harper sentence be amended to one of time-served, effective 10 days from the entry of the amended judgment. Ms. Harper shall continue to be held in custody until a bed becomes available at the NWRRCC. Upon release from confinement, the Court ORDERS that in addition to all previously ordered conditions contained in the original judgment to the following extent:

1. that the special conditions of supervision shall be modified to require that the defendant shall reside in a residential re-entry center for a period not to exceed 120 days.
2. Upon her arrival at the residential re-entry center, the defendant shall quarantine for a 14-day period unless the U.S Probation Office authorizes interruption of the quarantine for urgent reasons.

3. Following completion of the residential re-entry center placement, the defendant shall remain on home confinement until February 10, 2023, or until further order of the Court.

It is so ORDERED.

Dated this 10th day of December 2020.

/s/Ann Aiken

The Honorable, Ann L. Aiken
United States District Court Judge